

1 **RESOLUTION ENLARGING REVENUES AND**
2 **ASSETS IN STATE TRUST FUND**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

6 House Sponsor: Wayne A. Harper

7
8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to
11 modify a provision relating to a permanent state trust fund.

12 **Highlighted Provisions:**

13 This resolution proposes to amend the Utah Constitution to:

14 ▶ provide that a permanent state trust fund includes revenues and assets given to the
15 fund by any provision of law.

16 **Special Clauses:**

17 This resolution directs the lieutenant governor to submit this proposal to voters.

18 This resolution provides a contingent effective date of January 1, 2007, for this
19 proposal.

20 **Utah Constitution Sections Affected:**

21 AMENDS:

22 **ARTICLE XXII, SECTION 4**

23
24 *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*
25 *of the two houses voting in favor thereof:*

26 Section 1. It is proposed to amend Utah Constitution Article XXII, Section 4, to read:

27 **Article XXII, Section 4. [State trust fund -- Principal to be held in perpetuity --**



28 **Use of income.]**

29 (1) There is established a permanent state trust fund consisting of:
 30 (a) as provided by statute or appropriation, funds that the state receives relating to the
 31 November 1998 settlement agreement with leading tobacco manufacturers; [~~and~~]
 32 (b) revenues or other assets given to the fund under any provision of law; and
 33 [~~(b)~~] (c) other funds and assets that the trust fund receives by bequest or private
 34 donation.

35 (2) Except as provided in Subsection (4), the state treasurer shall, as provided by
 36 statute, hold all trust funds and assets in trust and invest them for the benefit of the people of
 37 the state in perpetuity.

38 (3) The income from the state trust fund shall be deposited into the General Fund.

39 (4) With the concurrence of the governor and three-fourths of each house of the
 40 Legislature, funds or assets in the trust fund may be removed from the fund for deposit into the
 41 General Fund.

42 **Section 2. Submittal to voters.**

43 The lieutenant governor is directed to submit this proposed amendment to the voters of
 44 the state at the next regular general election in the manner provided by law.

45 **Section 3. Effective date.**

46 If the amendment proposed by this joint resolution is approved by a majority of those
 47 voting on it at the next regular general election, the amendment shall take effect on January 1,
 48 2007.

Legislative Review Note
as of 10-6-05 11:13 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Mixed Membership Committee Note
as of 01-03-06 11:21 AM

The Tax Review Commission recommended this bill.

01-03-06 12:47 PM

S.J.R. 2

Membership:	4 legislators	10 non-legislators	
Legislative Vote:	2 voting for	0 voting against	2 absent